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School Reform News

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PARENTS RALLY FOR REFORM IN TEXAS

Hispanic CREO

by George A. Clowes

Troubled by the large number of low-performing public schools serving Hispanic students in Texas, an estimated 2,000 Hispanic parents and children from Austin, Dallas, Fort Worth, Houston, and San Antonio rallied at the state capitol in Austin on May 15 to draw attention to their concerns.

They called on lawmakers to reform the public education system and make better options—including school vouchers—available for their children's education.

"We are only asking that the state allow Hispanic children the same educational options, and a greater chance at success, that other Texans enjoy," said Dallas parent Enrique Granados, who helped coordinate efforts in Dallas for the Hispanic Council for Reform and Educational Options (Hispanic CREO), which organized the rally.

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STUDY:

School Choice Would Revitalize Ohio Cities

by Krista Kafer

Establishing school choice in "education empowerment zones" would revitalize Ohio's six largest cities—Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo—according to a new study by The Buckeye Institute, a public policy think tank in Columbus, Ohio.

In the zones, parents would have access not only to a growing number of

OHIO p. 8

Student Misbehavior Impedes Learning, Drives Out Teachers

by Krista Kafer

Student discipline problems seriously obstruct teaching and learning in America's public schools, according to a new report from the opinion research organization Public Agenda, which recently surveyed

MISBEHAVIOR p. 16

Lessons for U.S. as School Choice Spreads Worldwide

by Robert Holland

School choice has taken hold around the globe in many forms. It is practiced from Chile to certain provinces of Canada, from the Netherlands to developing countries like Ghana, from Scandinavia to Australia and New Zealand—and in other nations between those wide ranges.

Recently, school reformers convened at the Cato Institute in Washington, DC to look at other countries' experiences with school choice and to discuss what Americans might learn from them.

David Salisbury, director of Cato's

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Heartland's Twentieth Anniversary Benefit Dinner

Thursday, September 23, 2004
Chicago Hilton Hotel

Robert Novak

Keynote Address

Illinois native Robert Novak will deliver the keynote address at Heartland's twentieth anniversary benefit dinner on Thursday, September 23, 2004, at the Chicago Hilton Hotel.

Novak writes "Inside Report," a syndicated column he launched with Rowland Evans in May 1963. Since 1966, the *Chicago Sun-Times* has been the column's home newspaper; it is currently syndicated to more than 300 newspapers nationwide. Novak is also a contributing editor to *Reader's Digest*. In 2001, Novak was awarded the National Press Club's Fourth Estate Award for lifetime achievement in journalism.

Novak will be joined by *Wall Street Journal* editorial writer John Fund, Heartland Founder and Chairman Emeritus Dave Padden, and Heartland President Joseph Bast. Tickets and table reservations are now on sale.

For more information call The Heartland Institute at 312/377-4000
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School Reform News
EDITORIAL OFFICES

A Heartland PUBLICATION

The Heartland Institute
19 South LaSalle Street #903
Chicago, Illinois 60603
312/377-4000 voice • 312/377-5000 fax

School Reform News is available on the Internet. Point your web browser to **http://www.heartland.org**.

PUBLISHER
Joseph L. Bast

ASSOCIATE PUBLISHER
Nikki Saret

EDITOR
Diane Carol Bast

MANAGING EDITOR
George A. Clowes, Ph.D.
clowes@heartland.org

DESIGN AND PRODUCTION
Kevin Fitzgerald, Ross Van Overberghe

ADVERTISING MANAGER
Nikki Saret

CIRCULATION MANAGER
Latreece Vankinscott

CONTRIBUTING EDITORS
Mike Antonucci, Robert Enlow
Robert Holland, Krista Kafer
David Kirkpatrick
Nina Shokraii Rees (on leave), Paul Seibert
Lisa Snell, Don Soifer, Kelly Amis Stewart
Kevin Teasley, Royce Van Tassell
Herbert J. Walberg Ph.D., Lee H. Walker

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ADVERTISING: *School Reform News* accepts display advertising and advertising inserts. For an advertising kit with rate card and editorial calendar, contact Associate Publisher Nikki Saret at 312/377-4000, e-mail nikki@heartland.org.

School Reform News is published 11 times per year by The Heartland Institute. Subscriptions are $36 per year. Order online at www.heartland.org. Heartland is a nonprofit and nonpartisan public policy research organization serving the nation's federal and state elected officials, journalists, Heartland Members, and other opinion leaders. Its activities are tax-exempt under Section 501(c)(3) of the Internal Revenue Code.

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Senate Approves IDEA Reforms, Greenspan Addresses Education Needs

by Don Soifer

By a strong bipartisan margin, the Senate on May 13 passed its version of reforms to the nation's special education law, the Individuals with Disabilities Education Act (IDEA).

The House passed its version of IDEA reauthorization 12 months ago, with 34 Democrats voting in support of the bill.

Since the House and Senate bills differ, Congressional leadership will appoint a conference committee to reconcile the two versions. The resulting plan would then need to be approved by both legislative bodies this year to be eligible for signature by President George W. Bush, or the entire IDEA reform process would need to restart next year.

While the two versions differ in substantive ways, veteran staffers believe there is a good chance the reauthorization will become law in the current session.

"There are differences, but they are not insurmountable ones," said House Education Committee spokesman Dave Schnittger. "The President deserves the chance to sign a bill into law this year and we're going to make every conceivable effort to give him that opportunity."

A similar down-to-the-wire scenario occurred in the mid-1990s, when closed-session negotiations between House and Senate conferees resulted in the 1997 IDEA reauthorization.

Representative Michael Castle (R-Delaware), the primary author of the House bill, was upbeat in his description of the Senate version.

"The [Senate] legislation includes crucial reforms to ensure that students across the country in special education programs are receiving a quality education and puts the federal government on a glide path to increasing funding for IDEA," he said.

Prior to the Senate vote, an amendment for "mandatory full funding" for special education was defeated 56-41, four votes short of the 60 votes needed to carry the measure. Instead, the Senate approved a plan to boost discretionary funding for the program by $2.3 billion.

While the Senate version omits some of the reforms passed by the House, it contains a number of other changes to IDEA, including the following:

- Language authored by Senator Rick Santorum (R-Pennsylvania) to reduce paperwork requirements for special education teachers.
- An optional three-year Individualized Education Program that parents and schools would review annually; the current system requires these long and complex plans to be redrafted from scratch every year.
- Definitions for "highly qualified teacher" that would require new special education teachers to obtain state special education certifications and to pass state subject knowledge tests in reading, writing, and math.
- An emphasis on early intervention strategies aimed at correcting reading deficiencies before children are identified as disabled. This reform, which also appears in the House bill, would grant flexibility to school districts to use up to 15 percent of their federal IDEA funds for these pre-referral services.

In recent remarks at the Chicago Fed, Chairman Alan Greenspan stressed the importance of continued education, and the role community colleges will play in job retraining.

Greenspan Sees Education Needs

Experienced observers of the Federal Reserve have for nearly two decades scrutinized Chairman Alan Greenspan's measured language and deliberate prose. But in his May remarks at the Chicago Fed, there was little nuance to the importance he placed on education.

"Your futures will depend on your conceptual abilities," he told an audience that included many graduating high school seniors. Stressing the importance of a strong foundation in education basics—verbal and numerical literacy and communications skills—he predicted most of them would lose their job at some point and need to be retrained rapidly for another.

"It is critical that you productively employ your current learning experiences to create the base capabilities necessary for continuing your education into your mature years," Greenspan said.

The chairman went on to suggest the nation's community colleges will play an increasingly important role in that retraining in the coming years. Bush's currently proposed budget includes a $250 million boost for job training programs at community colleges.

Greenspan's remarks were reminiscent of comments on higher education he had made in March, both in Congressional testimony and to a Boston College conference the following day. Both speeches cited research showing that while U.S. fourth-grade students perform above average in math and science, those same students fall "well below" the international average by the end of high school.

"We appear to be graduating too few skilled workers to address the apparent imbalance between the supply of such workers and the burgeoning demand for them," Greenspan told the House Education and the Workforce Committee on March 11.

"Societal changes have been numerous and profound, and our schools are being asked to do a great deal more than they have in the past," he said. "We need to be forward-looking in order to adapt our educational system to the evolving needs of the economy and the realities of our changing society."

Don Soifer is executive vice president of the Lexington Institute. His email address is **soifer@lexingtoninstitute.org**.

INTERNET INFO

The testimony of Federal Reserve Board Chairman Alan Greenspan before the U.S. House of Representatives' Committee on Education and the Workforce on March 11, 2004 is available online at **http://www.federalreserve.gov/boarddocs/testimony/2004/20040311/default.htm**.

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Children Trapped in Poor Schools Need Choice Now

by George A. Clowes

School choice is urgently needed to fulfill the promise of equal opportunity in education established by the *Brown v. Board of Education* decision and is "the civil rights issue of our generation," declared longtime school choice advocate Clint Bolick at a National Press Club event on May 17, the 50th anniversary of the 1954 Supreme Court decision.

Formerly vice president of the Institute for Justice, Bolick now heads the new national policy group, the Alliance for School Choice. (See related article, "IJ's Bolick Takes Helm at School Choice Alliance," page 7.) Other panelists at the event included Virginia Walden Ford, executive director of D.C. Parents for School Choice, and Rebeca Nieves Huffman, president of the Hispanic Council for Reform and Educational Options (CREO).

"Millions of low-income children, disproportionately black and Hispanic, are consigned to abysmal public schools where violence, inferior quality, and low expectations are the norm," said Bolick. In the very institutions that are supposed to provide mechanisms for student advancement, "dreams and aspirations are not nourished, but systematically destroyed," he added, noting reforms such as busing, massive spending, and reduced class size had not solved the problem.

According to Bolick, what is needed to improve schools for low-income families is the same clout that has made schools in more affluent communities responsive to parent concerns: school choice. School choice, he said, allows children to leave failing schools and attend good ones—now.

"Our children cannot afford to wait five years—much less another 50—to make the promise of educational opportunity a reality," said Bolick. "To honor the spirit of *Brown*, we need to empower parents and do it with immediate speed."

Ford agreed, saying African-Americans were once again "being condemned to limited educational choices.

"Before *Brown*," she said, "many fought to keep us out of good schools. Today many fight to keep us trapped in bad schools."

Another panelist, Heather Prigg, a Washington Scholarship Fund recipient, discussed how school choice has influenced her education. Huffman, when describing the work of Hispanic CREO, also told how school choice had changed her life.

"I stand before you as a product of school choice, as the first generation in my family raised in the U.S. and the first person in my family to go to college," she said.

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

Photos courtesy Ruben Alfaro

Enrique Granados informs the crowd that the dropout rate in Dallas public schools is 57%.

"Low-performing schools are not going to prepare our kids to be doctors, lawyers. More importantly, they're not going to prepare our kids to become leaders—to sit in these seats behind me in the Senate."

REBECA NIEVES HUFFMAN
HISPANIC CREO

Texas

Continued from page 1

The mission of Hispanic CREO is to improve educational outcomes for Hispanic children by empowering their families through parental choice in education. Currently focusing on four states—Colorado, Florida, New Jersey, and Texas—the group works at a grassroots level with local parent leaders and community organizations to help inform parents about the educational options available in their area.

"All studies show that students trapped in disadvantaged, violent schools are at a much greater risk of dropping out," said Rosa Espinoza, parent organizer for Hispanic CREO in Houston. "Education reform can open the door to a brighter future for those students."

Statistics cited by speakers at the rally made clear the need for reform. Granados pointed out that the dropout rate in the Dallas public schools is 57 percent, and only 9 percent of Hispanic graduates are academically prepared to attend college. Only 3 percent of Hispanic children earn college degrees, added Hispanic CREO President Rebeca Nieves Huffman, who was the first in her family to graduate college.

"Low-performing schools are not going to prepare our kids to be doctors, lawyers," she declared. "More importantly, they're not going to prepare our kids to become leaders—to sit in these seats behind me in the Senate."

The group's call for vouchers did not persuade Rep. Rene Oliveira (D-Brownsville), vice chairman of the House Public Education Committee, who told the Austin *American-Statesman*, "until we fully fund education," vouchers are out of the question.

"I think the vast majority of Hispanic legislators, as well as the vast majority of Hispanic parents throughout Texas, do not agree with the idea that we should have vouchers for private schools," Oliveira said.

One influential Hispanic group that does support vouchers is the United States Hispanic Chamber of Commerce, whose president and CEO, J.R. Gonzales, spoke at the rally. Last November, the chamber unanimously passed a resolution declaring it "fully endorses the K-12 opportunity scholarship legislation which is before state and federal legislative bodies and which will provide equal access to high-quality education to low-income children and enable parents who are lacking in financial resources the right to send their children to the schools of their choice."

Driving the Hispanic Chamber's action were concerns about high dropout rates among Hispanics, the questionable quality of graduates produced by "this flawed education system," and the inability of the "current and antiquated educational system" to produce well-educated Hispanics capable of becoming successful business owners and CEOs.

Giving a personal example of what President George W. Bush has called "the soft bigotry of low expectations," Gonzales related to the crowd at the rally what educators in the Austin public schools had said when he signed up for college-bound classes in high school: They told him he had registered for the wrong classes.

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

INTERNET INFO

The Web site for Hispanic CREO is **http://www.hcreo.org**.

The Web site for the U.S. Hispanic Chamber of Commerce is **http://www.ushcc.org**.

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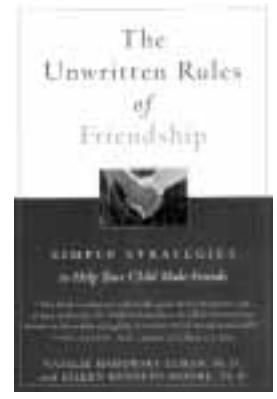
Dealing with Social Deficit Disorders



The Unwritten Rules of Friendship: Simple Strategies to Help Your Child Make Friends

by Natalie Madorsky Elman, Ph.D. and Eileen Kennedy-Moore, Ph.D.

($14.95, 352 pages, paperback, Little, Brown and Company, 2003, ISBN: 0316917303)

by George A. Clowes

Although written primarily for parents, *The Unwritten Rules of Friendship* is a book every elementary school teacher should read and have available to parents who are concerned their child is having a difficult time making friends.

As the book explains, whether a child is excessively shy, over-sensitive, a poor sport, prone to temper tantrums, or a bully, the problem often arises because the child is unaware of—and thus too often breaking—Unwritten Rules of social interaction. This book helps parents teach their children those rules and practice observing them.

"The key factor that determines how smoothly children (and adults) get along with others is whether or not they understand and can follow the Unwritten Rules that guide social relationships. Some children seem to pick these up automatically, naturally. Others seem oblivious of them," write authors Natalie Madorsky Elman, director of the Summit Center for Learning in Summit, New Jersey, and Eileen Kennedy-Moore, a Westfield, New Jersey psychotherapist.

Unwritten Rules are everywhere, not just in school, explain the authors. For example, there are Unwritten Rules involved in something as simple as riding an elevator. After we step in an elevator, we automatically turn around to face the door. If we stood with our back to the door, we would be regarded as "strange" by other people on the elevator.

Similarly, a child who doesn't follow the Unwritten Rules of Friendship will be regarded as "strange" by his or her peers—for example, a child who mimics everything, word-for-word, that another child says; a child who tells his or her peers when they are breaking school rules; a child who breaks into tears when the teacher corrects an error; or a child who yells and argues with other children until he gets his way. All these children are breaking one or more of the Unwritten Rules of Friendship. They want friends, but they don't know how to behave.

"Unless they know the Unwritten Rules of social situations, children cannot possibly use social skills appropriately," write Elman and Kennedy-Moore.

Elman and Kennedy-Moore introduce the rules in the context of nine prototypical children with friendship problems, including the Unassertive Child, the Born Leader, the Intimidating Child, and the Young Adult. As these children and their variants are introduced, the particular Unwritten Rules that each type of child needs to learn also are introduced.

For example, one of the most important rules the Unassertive Child—the "bully magnet"—needs to learn is that vulnerable body language attracts bullies. To help the Unassertive Child, the authors provide a description of how different body language signals confidence or vulnerability. Throughout the book, they provide suggestions for teaching the rules, together with strategies for parents to help their children overcome the specific difficulties they encounter in making friends.

One important suggestion is for parents to help their child develop a group of friends outside of school, such as through a church or synagogue, or through a special interest/hobby group. Having a group of friends independent of school makes the child less vulnerable to fickle changes in popularity at school.

"At their core, the Unwritten Rules are about kindness and civility. They emphasize talking and listening to one another, respecting and caring about one another, and reaching out to help one another," write the authors. "True friendship grows from a sense of connection."

In previous generations, children learned how to behave with other children in largely unsupervised and spontaneous play groups in their neighborhoods, where the behavior of older children provided the role model. With children's leisure activities now taking place under adult supervision and structured by age, children have fewer opportunities to recognize and learn the Unwritten Rules.

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

Two Principals Partner to Produce "Wonderful Miracles"

by M. Royce Van Tassell

More than 90 percent of the 972 students at Larry C. Kennedy Elementary School (LCK) in Phoenix, Arizona are Hispanic, black, or Native American. But 25 percent don't speak English when they start school, and less than half in grades 3 through 5 make a full year's progress in math each year. The school's two computer labs still run on DOS.

Across the street, but worlds apart, sits St. Paul's Preparatory Academy, a private, religious high school for boys. The school's average ACT last year was in the 80th percentile. Each student in the mostly Hispanic student body gives an average of nearly 25 hours to community service per year, and 99 percent of the school's graduates move on to college. St. Paul's computer lab allows students to do computer animation.

Hal Elliott (left), principal of St. Paul's Preparatory Academy, and Johnny Chavez (right), principal of Larry C. Kennedy Elementary School, attend the eighth-grade promotion ceremony at LCK, where Elliott handed out three scholarships for students next year.

When St. Paul's moved into the neighborhood seven years ago, Johnny Chavez, the principal at LCK, introduced himself to the private school's founder, Lowell Andrews. After touring the St. Paul's facility and seeing the admissions criteria and uniforms—jacket, shirt, and tie—Chavez commented, "So this is how the other half lives."

Andrews replied with a rather unusual question: "Do you have any students that would do well here?"

Of course we do, said Chavez, but they can't afford $12,000 in tuition.

Two years later, St. Paul's created the Arizona Episcopal Schools Foundation (AESF). Formed after Arizona began its tuition tax credit program, the AESF collects private donations and distributes them as scholarships to students based on family financial need.

Where would St. Paul's find scholarship students? Right across the street, as it turned out. Unsure of how Chavez and his deputy principal would react to a proposal from his elite private school, St. Paul's principal Hal Elliott suggested Chavez recommend students from LCK who could succeed at St. Paul's.

He needn't have worried. Over the past four years Chavez and Elliott have become firm partners. Chavez and his teachers look for students with the attitude, need, family support, and ability to take advantage of St. Paul's opportunities. AESF awards scholarships to LCK students so they can afford the tuition at St. Paul's.

On average, one to three LCK students cross the street to St. Paul's each year. Today St. Paul's has seven former LCK students. One will be valedictorian this year. Another was St. Paul's starting point guard on the basketball team, and a third will most likely be the top student of next year's graduating class.

Elliott makes sure St. Paul's give something back, too. St. Paul students spend countless hours teaching LCK students soccer and helping out at after-school family nights. They raise more than $2,000 per year for Christmas gifts for LCK students. Elliott personally donates to LCK's after-school activity fund.

This unusual partnership stems from an understanding the two principals have of how their schools complement, rather than compete with, each other. They recognize not all of Chavez's students can live up to St. Paul's demanding expectations. In fact, a couple of students he's referred to St. Paul's decided not to go, and one student didn't work out.

But for those students who can make use of the opportunity, "St. Paul's is changing generations," Chavez said. He sees them moving on to higher education and creating the same opportunities for their children that St. Paul's created for them.

"They're working wonderful miracles with my kids," he said.

M. Royce Van Tassell is executive director of Education Excellence Utah. His email address is **royce@edexutah.org**.

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Worldwide

Continued from page 1

choice school reformers in the U.S. not only should take heart from the burgeoning worldwide movement for choice, but also draw lessons about how to avoid the harmful side effect of government "micromanagement" of participating private schools.

Keynote speaker Charles Glenn, a Boston University professor who has authored major works on international school choice, said that up to now Americans have been "remarkably unwilling to look at the experience of other countries for things to learn"—positive or negative—about implementing choice.

"Much depends on good policy design," he noted, adding the Dutch have been perfecting their system of choice for the past 80 years.

Glenn, who said he believes in a limited role for government, said the key is to "strike a balance" between two competing objectives: (1) educational freedom and autonomy, and (2) the societal responsibility to see that every child receives an adequate education. In almost every Western country, he added, the pendulum has swung too far in the direction of government control.

Protection of "Right of Conscience"

One of the claims made for school choice is that it advances parental rights, but that rationale is rarely stated in the United States, despite the long-standing U.S. Supreme Court decision in *Pierce v. Society of Sisters* (1925), which recognized the primacy of parents in directing the upbringing of their children. By contrast, a "protected right of conscience" for parents "has been the central concern for Europeans," said Glenn.

Most European countries recognize the parents' right to seek schools that have a coherent world view, whether religious or otherwise. Exercise of that right is balanced through judicious enforcement of state standards. Glenn gave as one example how sex education is done in Denmark: The government requires that it be in the curriculum, but parents have the choice in how it is delivered.

Glenn lauded the sense of community that often coalesces when schools can develop diverse programs to respond to particular interests of their patrons. Too often, he observed, American public schools resemble "the bland leading the bland." In Holland, Finland, and Hungary, schools that have developed distinctive programs may propose an alternative set of standards to which they would be held accountable.

Serving the Poor

The Cato conferees heard of an altogether different kind of school choice being exercised in China, Ghana, India, Kenya, and Nigeria. James Tooley, a professor of education policy at the University of Newcastle (England), told of research he has done locating private schools that serve the poorest of families in those countries.

Although the governments often have tried to deny their existence or close them down, these private schools—which are illegal in some of the countries involved—often are more numerous than the government schools serving the urban slums.

Tooley found that these schools, run by what he termed "edupreneurs," have satisfied parents, delivered instructional results, offered better facilities than the public schools, and even turned a profit. They are able to do this by charging small fees, although they also offer scholarships when they are needed.

"The private sector is serving a majority of the poor and providing better educational opportunity than the public schools," he noted, suggesting that the message for school reformers is: "Think private." Real accountability comes from people "just doing for themselves" instead of government taking from them and then giving back just a little through parceled educational benefits.

Increase in Private Schools

Chile and Sweden are two countries that have experienced vast increases in private (independent) schools as a result of voucher systems launched within the past two decades.

In Chile, only 10 percent of students were in private schools prior to the start of vouchers in the early 1980s, but now the private/public split in enrollment is about 50/50. Chilean professor Claudio Sapelli said an analysis of test scores shows the private schools have been about 10 percent more effective than the public schools, a significant but "not dramatic" difference.

One of the regulatory problems in Chile is that the government provides disincentives for needy children to leave the public schools. If they take a voucher, they lose an array of special services, such as a free breakfast.

John Merrifield, an economics professor at the University of Texas/San Antonio and school choice author, suggested that were it not for extensive central regulation, Chile's private schools could be considerably more than 10 percent better than the public schools. He suggested price controls imposed on voucher schools are a common factor making the beneficial impact of educational freedom far less than it could be.

Sweden More Open to Choice than U.S.

In Sweden—a nation long known as the most socialist in the free world—the advent of school choice over the past decade has led to a five-fold increase in independent schools, according to F. Mikael Sandstrom, a political adviser to the Moderate Party in the Swedish Parliament.

The system is much more open than in the limited U.S. voucher experiments: All Swedes, not just the poor, are allowed a choice between independent and municipal schools, and it is relatively easy to start a private school and receive subsidies. Such schools may be for-profit—which is the fastest-growing segment—or religious.

School choice, which has generated positive academic results, is "immensely popular," according to Sandstrom. Among the political parties, "only the old Communist Party opposes school choice." The Social Democrats have talked about instituting tighter regulation, but currently "I don't think there is a great danger of re-regulation," he said.

Robert Holland is a senior fellow at the Lexington Institute, a public policy think tank in Arlington, Virginia. His email address is **holland@lexingtoninstitute.org**.

Dr. Joan Davis Ratteray (1948-2004)

Dr. Joan Davis Ratteray, president of the Institute for Independent Education and a strong advocate for parental choice and black independent schools, died in Philadelphia, Pennsylvania on May 26, 2004 after a three-year battle with cancer.

Ratteray's research into black independent schools revealed a rich history of African-American efforts to support educational institutions in their communities. She founded the Institute for Independent Education in Washington, DC in 1984 to provide technical assistance to independent community-based schools.

Ratteray also worked to influence education policy through newspaper articles and radio and television interviews. In powerful testimony before a Presidential commission 17 years ago, she described how most black Americans attended inner-city schools "that have become the dregs of the nation's education system." She spoke of the promise of choice:

"[I]ndependent schools represent the power of parental choice. They exist because quality education is not just a luxury for the well-to-do. They challenge public schools to be competitive without the infusion of larger and larger sums of tax dollars. They are islands of excellence, and some of them are models for innovations in public institutions."

Daughter of the late Semiriah and Lila Calhoun Davis, and a native of Bibb County, Georgia, she is survived by her husband, Oswald Ratteray; her children, Charles and Carolyn Ratteray; and her siblings, Geneva Causey and Bruce Davis. In lieu of flowers, the family requests mourners make a donation to an independent school scholarship fund. A list of schools by area is provided in the directory at the Institute's Web site at **http://www.independenteducation.org**.

— G.C.

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INTERNET INFO

A webcast of the Cato Institute's May 24, 2004 conference, "Looking Worldwide: What Americans Can Learn from School Choice in Other Countries," can be found online at **http://www.cato.org/events/schoolchoice/index.html**.

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IJ's Bolick Takes Helm at School Choice Alliance

by George A. Clowes

Clint Bolick, who as vice president and cofounder of the Institute for Justice (IJ) was instrumental in establishing the public interest law firm as the nation's preeminent defender of school choice programs, assumed a new role in April when he became president and general counsel of the newly formed School Choice Alliance and its companion organization, School Choice Advocates.

The new organizations will complement the legal defense work of IJ with efforts aimed at expanding parental choice across the nation by organizing grassroots support and securing passage of new school choice programs.

At IJ, Bolick's efforts to advance school choice, economic liberty, private property rights, and free speech made him one of the country's leading advocates for individual liberty. The most notable of these often long, drawn-out efforts was *Zelman v. Simmons-Harris* (2002), where the U.S. Supreme Court ultimately upheld the constitutionality of the school voucher program in Cleveland.

Bolick will continue to be affiliated with IJ as its counsel for strategic litigation. He also will appear of counsel on IJ's school choice cases, although he will not be involved in litigating.

"This is a huge opportunity not only for Clint, but for the school choice movement," said IJ President and General Counsel Chip Mellor, who cofounded the organization with Bolick. "IJ and Clint will continue to work closely together, school choice parents and children get an impassioned and articulate voice to champion their cause, and Clint gets to dedicate himself full-time to an issue he helped put on the map."

Clint Bolick

Bolick's two new organizations, which will be located in Phoenix, Arizona, result from the merger of three other well-known school choice organizations: the American Education Reform Council (AERC) and American Education Reform Foundation (AERF), based in Milwaukee, Wisconsin, and Children First America (CFA), based in Austin, Texas.

"I am enormously proud of what the Institute for Justice has become and accomplished over the past dozen years, and in awe of its boundless potential for the future," said Bolick. "Every moment of my association with it has been an honor and a delight; particularly the opportunity to work with such extraordinary people as my partner Chip Mellor, my colleagues, our clients, our directors, and our supporters. I look forward to celebrating many more victories for freedom in the coming years."

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

INTERNET INFO

For more information, contact the Alliance for School Choice, 5080 North 40th Street #375, Phoenix, AZ 85018; phone 602/468-0900; fax 602/468-0920; email **info@allianceforschoolchoice.org**. Or visit the group's Web site at **http://www.allianceforschoolchoice.org**.

Fighting for School Choice in the Courts

by George A. Clowes

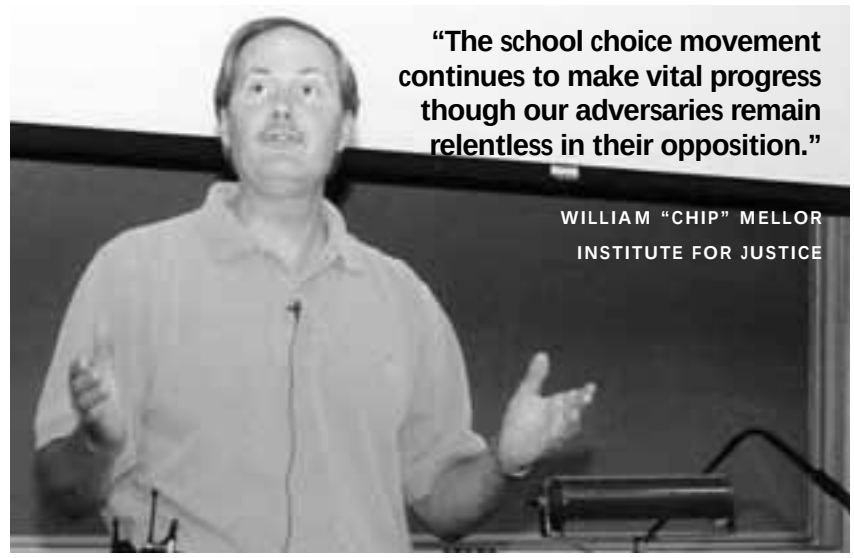
Having traveled across the country for more than a decade to defend state-based and city-based school choice programs, the Institute for Justice (IJ) expects soon to be defending choice legislation in its home town of Washington, DC: the recently approved D.C. School Choice Incentive Act.

The public interest law firm is currently assisting the Washington Scholarship Fund and D.C. Parents for School Choice in implementing the new program, scheduled to take effect when school starts later this year.

As well as supporting school choice implementation work in Washington, IJ's attorneys also are supporting efforts on behalf of proposed school choice legislation in Kansas, Missouri, New Hampshire, South Carolina, Texas, and Utah. Those efforts involve legal analysis, advice on working with the media, and public testimony.

"The school choice movement continues to make vital progress," noted IJ President William "Chip" Mellor, "though our adversaries remain relentless in their opposition."

IJ's attorneys come face-to-face with those adversaries as they defend the following school choice programs in court on behalf of students and parents in Arizona, Colorado, and Florida.


"The school choice movement continues to make vital progress though our adversaries remain relentless in their opposition."
WILLIAM "CHIP" MELLOR
INSTITUTE FOR JUSTICE

Scholarship Tax Credits in Arizona

More than five years after the Arizona Supreme Court upheld the constitutionality of the state's 1997 scholarship tax credit law in state court, the American Civil Liberties Union is making a second attack on the law, this time in federal court on First Amendment grounds. The district court dismissed the lawsuit and the Ninth U.S. Circuit Court of Appeals overturned the district court ruling. The U.S. Supreme Court was expected to issue a decision in June but had not done so when this newspaper went to press.

Opportunity Contract Program in Colorado

Approved last year, Colorado's Opportunity Contract Program was quickly challenged by the teacher unions and their allies on six points of law, just two of which were addressed by the trial court last December. The court ruled the program does not constitute special legislation but does violate the local control provision of Colorado's constitution because educating children in private schools interferes with the district school board's control of instruction.

When the trial court judge also barred the state from implementing the program, IJ and the state quickly appealed to the Colorado Supreme Court, which granted expedited review. During the oral arguments on May 25, attorneys for Colorado Governor Bill Owens (R) argued lawmakers should have the power to try innovative educational programs so long as the programs do not substantially impair the authority of local districts to educate most of their students. The attorney for the plaintiffs argued school districts should not be required to fund schools they do not control.

Even if the Colorado Supreme Court upholds the program on the two points at issue, opponents of the program have said they will return to trial court to argue the remaining four points.

Opportunity Scholarships Program in Florida

The challenge by the teacher unions and their allies to Florida's Opportunity Scholarships Program is based on the state's Blaine Amendment, which in general bars the use of public funds by religious schools. Florida's First District Court of Appeal heard oral arguments on the case more than a year ago, in March 2003.

While a decision is awaited from the appellate court, IJ's Mellor points out "choice in Florida flourishes," with nearly 25,000 students exercising choice statewide. Only about 600 students receive Opportunity Scholarships, but another 12,000 receive McKay Scholarships for children with disabilities, and yet another 12,000 receive scholarships funded through corporate income tax credits.

While few students participate, the Opportunity Scholarships Program is prompting statewide improvements in Florida's public schools, according to analyses conducted by Manhattan Institute researchers Jay P. Greene and Marcus A. Winters. (See "Students Benefit When Schools Compete," *School Reform News*, November 2003.)

In addition, the *Pensacola News-Journal* reported in December 2003, "On average, the 34 students attending Escambia County Catholic schools on state-funded Opportunity Scholarships have jumped more than one grade level for each year they've attended, and many are working beyond their grade level now."

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

INTERNET INFO

In "Competition Passes the Test," Manhattan Institute researchers Jay P. Greene and Marcus A. Winters report their latest analysis of Florida's Opportunity Scholarships in the current issue of *Education Next* at **http://www.educationnext.org/20043/66.html**.

A November 2003 *School Reform News* article, "Students Benefit When Schools Compete," provides links to an earlier study of the A+ Program by Greene and Winters: **http://www.heartland.org/Article.cfm?artId=13546**.

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Ohio

Continued from page 1

Community Schools (Ohio's charter schools) but also to a voucher worth $5,250 to attend a private school. According to Buckeye, the education benefit would bring middle-income families into the cities and reverse decades of urban flight to the suburbs.

Of Ohio's six largest cities, only Columbus has not experienced population declines over the past few decades. One of the impediments to encouraging middle-income families to live within the city limits is the poor quality of city schools. Families with children are willing to spend more money to purchase essentially the same house if it is in a neighborhood with better schools. Without quality schools, such families are unwilling to consider urban living.

"All too often, attempts to encourage urban renewal and get families to move back into cities fail to address one of the largest stumbling blocks: a lack of access to good schools," said Joshua Hall, director of research at The Buckeye Institute and the study's lead author. "Education Empowerment Zones would provide all city residents access to quality schools."

Without families, urban revitalization cannot be realized, explain the authors of the March 2004 study, "Education Empowerment Zones: Revitalizing Ohio's Cities Through School Choice." The presence of childless professionals is insufficient.

"Working and middle class families with children are vital to neighborhood and city building because they have higher incomes and are more economically and socially stable," said Hall.

"All too often, attempts to encourage urban renewal and get families to move back into cities fail to address one of the largest stumbling blocks: a lack of access to good schools."

JOSHUA HALL
THE BUCKEYE INSTITUTE

The study proposes the establishment of "education empowerment zones" to provide education alternatives to families through school vouchers, the opening of new Community Schools, and the conversion of existing public schools to Community Schools. As well as providing more educational options for parents, competition among those schools would prompt traditional public schools to improve. Quality education options also would reduce neighborhood income segregation as wealthier families would be attracted into low-income neighborhoods by high-quality schools.

Using estimates from an earlier study by Duke University economist Thomas Nechyba, the authors conclude the offer of a voucher would mean total private school attendance in all six cities would rise from 60,000 to 94,000.

To ease the initial costs of the voucher program, the Buckeye authors recommend phasing it in over six years, with the voucher amount increasing $500 annually from a $2,250 base until it met the target amount of $5,250. The phase-in would reduce the first-year total program cost from more than $300 million to roughly $100 million. The maximum cost in the sixth year would be $316 million. The authors believe the benefits will substantially outweigh the costs.

"On a per-pupil basis, private schools are considerably cheaper than public schools," states the report. "The savings from moving public school students into the private schools, coupled with the additional benefits of encouraging two-parent families back to the city, will eventually outweigh the short-term cost of implementing EEZs (Education Empowerment Zones)."

To offset the cost of the proposal, Buckeye identified almost two dozen programs administered by the Ohio Department of Education that could be eliminated or reduced "without an appreciable change in student outcomes."

Krista Kafer is senior policy analyst for education at The Heritage Foundation. Her email address is **krista.kafer@heritage.org**.

INTERNET INFO

The March 2004 report from The Buckeye Institute, "Education Empowerment Zones: Revitalizing Ohio's Cities through School Choice," by Joshua C. Hall, Samuel R. Staley, Matthew S. Hisrich, and Aengus L. Barry, is available online at **http://www.buckeyeinstitute.org/Policy%20Reports/EEZ.pdf**.

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Hundreds Gather in Harrisburg to Celebrate Pennsylvania Tax Credit

By third year, business donations top $100 million

by Dennis A. Giorno

More than 500 parents, children, legislators, and public school officials converged on Pennsylvania's Capitol in Harrisburg on May 11 to celebrate the third anniversary of the state's landmark Educational Improvement Tax Credit Program (EITC).

Since the program's inception in 2001, Pennsylvania's business community has contributed more than $100 million toward nonpublic school scholarships and to help establish innovative public school programs.

"The business community's investment in the EITC has enabled tens of thousands of children to receive a quality education and to have a chance for productive and fulfilling lives."

PAUL HENKELS
REACH ALLIANCE

The EITC program, which allows businesses in Pennsylvania to receive up to a 90 percent tax credit for donations to nonprofit scholarship or educational improvement organizations, has funded more than 20,000 scholarships and countless programs in the state's public schools in 2003-2004. To date, more than 1,900 businesses have participated in the EITC program.

For the first two years, the EITC was capped at $30 million—$20 million for scholarships and $10 million for public school programs. But faced with overwhelming demand for scholarships and programs, the Pennsylvania General Assembly raised the cap by $10 million and doubled the maximum tax credit from $100,000 to $200,000. Lawmakers also created a similar program exclusively for pre-K scholarships.

Joining the hundreds of children and families of scholarship recipients in the state capital was Dr. Jerry Kohn, superintendent of the Harrisburg public schools. The Harrisburg Public Schools Foundation has used tax credit contributions for its early childhood program and alternative education program. An appreciative Kohn explained that more than 500 Harrisburg public school children have benefited from the EITC program.

The program boasts bipartisan support from all across Pennsylvania. One of its leading advocates is State Senator and President Pro Tempore Bob Jubelirer (R-Blair County).

"Our assignment in the General Assembly is simple—to keep this program going," Jubelirer told the enthusiastic crowd. "And we need to build on it so that more kids and more families have the chance to make a choice about their education."

Jubelirer commented that the so-called "education advocates" ought to be at the celebration, too, but said they fail to see the good in this program and claim the state cannot afford it.

"What I see here today clearly underlines the opposite—we cannot afford to forgo this approach," he declared.

Photos courtesy REACH Foundation

The EITC anniversary celebration was sponsored by the REACH Foundation, Pennsylvania's statewide grassroots coalition for school choice. Paul Henkels, chairman of REACH's advocacy arm, the REACH Alliance, was particularly proud of the results of a long, difficult battle for educational freedom in Pennsylvania.

"For so many years we fought to empower parents and came excruciatingly close. To finally get over the goal line and see children going to good schools is very satisfying," noted Henkels. "The business community's investment in the EITC has enabled tens of thousands of children to receive a quality education and to have a chance for productive and fulfilling lives."

A new round of funding for EITC and pre-K EITC scholarships begins with Pennsylvania's fiscal year, July 1, 2004.

Dennis A. Giorno is executive director of the REACH Alliance and REACH Foundation, Pennsylvania's grassroots coalitions dedicated to ensuring parental choice in education. His email address is **dennis@paschoolchoice.org**.

INTERNET INFO

REACH—Road to Educational Achievement Through Choice—represents business, religious, civic, taxpayer, and nonprofit organizations committed to educational achievement through choice. Additional information about its work is available online at **http://www.paschoolchoice.org**.

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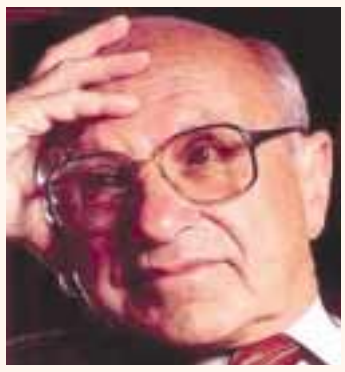
THE FRIEDMAN REPORT

An Idea Has Consequences



'Governments could require a minimum level of education which they could finance by giving parents vouchers redeemable for a specified maximum sum per child per year if spent on 'approved' educational services.'

"... FIFTY YEARS ON, IT'S increasingly clear that the dream offered in *Brown v. Board of Education* will never be realized without an injection of Milton Friedman's ideas about school choice ...

"... Next to prevailing in the war on terror, it's hard to think of an issue of more fundamental importance to our nation than a public education system that gives all children a real crack at the American Dream. And in a seminal essay in 1955, Mr. Friedman provided the key. The title was 'The Role of Government in Education,' and the operative sentence was this: 'Governments could require a minimum level of education which they could finance by giving parents vouchers redeemable for a specified maximum sum per child per year if spent on 'approved' educational services.'

"... Today, amid the wreckage of the unaccountable and unresponsive public school monopolies we see in our great cities, we can recognize these words for what they were: the intellectual equivalent of the shot heard round the world. After decades of dormancy and half-hearted attempts to try them out, Milwaukee became the first city to institute a real voucher program—and the public schools responded by improving ...

"[W]e're seeing more and more experiments. Earlier this year the Milton & Rose D. Friedman Foundation rated 13 state programs ...

"[T]he march toward choice has about it today the aura of inevitability. As Mr. Friedman tells us, 'What *Brown* ordered was an end to 'separate but equal.' But you can't end 'separate but equal' without ending compulsory assignment to a public school.' From the vantage point of *Brown* we can now see that vouchers have become the cornerstone for a fundamental civil right."

Wall Street Journal
May 17, 2004

SCHOOL CHOICE ROUNDUP

by Robert Fanger and George Clowes

ARIZONA

Arizona House Rejects Voucher Bill

With a vote of 30-27, the Arizona House of Representatives on May 25 rejected Senate Bill 1109, which would have established a Statewide Educational Choice Scholarship Program to provide vouchers for children to attend a private school chosen by their parents. While proponents of the bill argued the resulting competition would prompt the public schools to improve, opponents raised concerns about the public schools getting less money.

The measure would have capped the voucher value at 80 percent of the average statewide per-pupil expenditure in the state's public schools, with the program phased in by grade level over a period of five years. Eligibility would have been limited to families with incomes up to 200 percent of the federal poverty level. If the voucher did not cover the full amount of tuition and fees, schools could charge additional amounts to parents.

Tucson Citizen
May 25, 2004
House Bill Summary for SB 1109

CALIFORNIA

Fresno, Calif. Mayor Endorses Vouchers

During his annual State of the City address in May, Fresno, California Mayor Alan Autry announced his support for school vouchers. While praising city accomplishments in other areas, he focused his speech on education, saying, "to fail in the education of our children is to forfeit the future of our city."

Saying he would pursue state and federal legislation to provide vouchers for the most at-risk children, Autry told the audience of more than 700 that his oath of office obligated him to work for the overall health of the community.

"If I retreated from my commitment to educating our kids and standing for and fighting for a quality education of every child, I would be in violation of that oath and should be removed from office," he said, according to *The Fresno Bee*.

Fresno County Schools Superintendent Pete Mehas told *The Fresno Bee* he disagrees with Autry's desire for school vouchers, noting voters across the state and in Fresno County had rejected a voucher initiative at the polls in 2000.

The Fresno Bee
May 21, 2004

DISTRICT OF COLUMBIA

D.C. Public Schools Can't Spend Extra Federal Money

The D.C. Public School system (DCPS) was allotted an extra $13 million as part of the package assembled by lawmakers to win passage of a pilot voucher plan for the District. The additional funds were to be used for improving student achievement, developing a more effective teaching staff, and promoting public school choice within the District.

But now Congressional leaders won't allow DCPS to spend the extra money because they say school administrators haven't come up with a spending plan that directs the funds to their intended uses.

"DCPS did not provide sufficient justification concerning the allocation of these funds," said Sen. Mike DeWine (R-Ohio), chairman of the Senate Appropriations subcommittee on the District, in a written statement. DeWine told the *Washington Post* he intends to withhold the $13 million until a new school superintendent is hired.

D.C. Mayor Anthony Williams supported DeWine's stand, noting he and his staff had requested more specific plans from the schools but had been told to "bug out." Williams has been pushing for the creation of a mayorally appointed schools chancellor in the District, citing DCPS's lack of accountability.

"It's astounding that it's so hard to give the school system $13 million," Williams's deputy chief of staff, Gregory M. McCarthy, told the *Post*. "After we make enormous pleas for overall support for the city and support from Congress, it really is a black eye when the schools can't get a plan up there that can pass muster."

Washington Post
May 20, 2004

FLORIDA

Vouchers Improve Public School Performance in Fla.

Public schools in Florida that were forced to compete for students because of vouchers made extraordinary gains on the state's standardized tests compared with other public schools, according to a new peer-reviewed study conducted by Manhattan Institute researchers Jay P. Greene and Marcus A. Winters.

Florida grades its public schools A-F,

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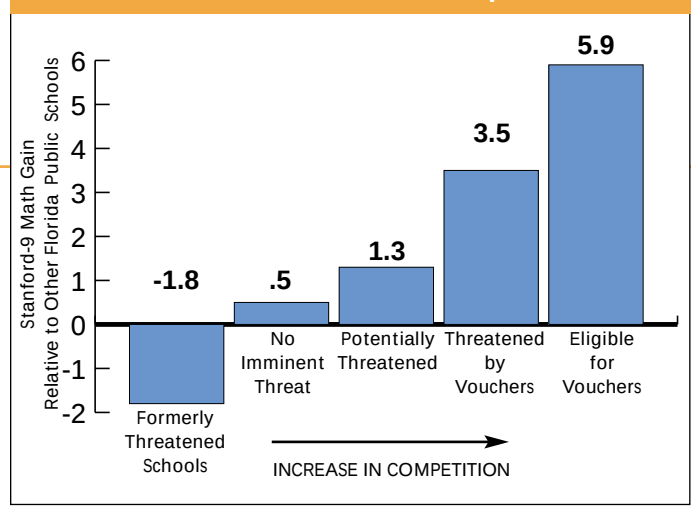
Milton and Rose D. Friedman

Students Gain When Schools Compete



depending on their performance on the state's FCAT test. If a school receives two Fs in a four-year period, it is exposed to voucher competition because students at the school are eligible to use vouchers to transfer to private schools or other public schools. The closer a school is to getting two Fs in four years, the greater the amount of voucher competition.

Greene and Winters grouped schools by the grades they had received from the state during the previous four years and then compared their average gains in academic achievement on the Stanford-9 math test. The researchers found the gain in academic achievement between 2002 and 2003 increased as the school's four-year grades got closer to two Fs—i.e., as voucher competition increased:

- Schools with at least two Fs made average test score gains of 5.9 percentile points above those made by all other Florida public schools;
- Schools with one F in the past three years made average test score gains of 3.5 percentile points above other public schools;
- One-time voucher schools that were now at least four years away from two Fs showed a test score decline of 1.8 percentile points compared to other public schools.

Education Next
Summer 2004
http://www.educationnext.org/20043/pdf/66.pdf

IOWA

Iowa Governor Vetoes Scholarship Tax Credit Bill

Although approved in the Iowa legislature with strong bipartisan support, a bill to establish a School Tuition Organization Tax Credit in the Hawkeye State was vetoed on May 14 when it went to Governor Thomas J. Vilsack (D) for signature. The bill, Senate File 2295, would have allowed an income tax credit for voluntary cash contributions to school tuition organizations for educational scholarships or tuition grants to children in nonpublic accredited schools. The bill provided a credit of 75 percent of the actual contribution, with a maximum credit of $700 per single individual and $800 for a married couple.

SF 2295 required tuition organizations to prioritize the allocation of scholarships to students from families with incomes less than 200 percent of the federal poverty level. In addition, one-third of the students receiving scholarships at each school must be students who did not attend a private school in the year before first receiving the scholarship.

"As long as our public school system needs resources, priorities dictate that incentives to encourage support for private schools should not be encouraged," said Vilsack, "particularly when they reduce future available resources."

Sara Eide, executive director of the Iowa Catholic Conference, pointed out to *School Reform News* that the program would provide a net gain for the state treasury by the fourth year. She also noted Catholic schools already save the state more than $250 million every year.

Governor's Veto Message
May 14, 2004
Iowa Catholic Conference

LOUISIANA

Louisiana House Committee Defeats Voucher Proposal

In a decisive 12-1 rejection of House Bill 1288 on May 20, the Louisiana House Education Committee killed any remaining hope the Archdiocese of New Orleans may have had for putting the ongoing funding of an existing pre-K school voucher program under the protection of state law this year. The state-funded program currently allows some 1,500 low-income students to attend private preschool. The program will remain funded next year through an $8.5 million allocation that Gov. Kathleen Blanco (D) included in her budget.

HB 1288 was sponsored by Rep. Steve Scalise (R-Jefferson), who also saw the committee reject another of his proposals, House Bill 366, which would have provided vouchers to students attending failing schools in Orleans Parish.

Kirby Ducote, lobbyist for the Roman Catholic Archdiocese of New Orleans, told *The Times-Picayune* that the pre-K voucher program was the only hope of low-income parents in some parts of New Orleans. For example, he said, there are no academically acceptable public schools in St. Peter Claver's parish neighborhood.

The Times-Picayune
May 20-21, 2004

MINNESOTA

Expansion of Minnesota Tax Credit Fails by Two Votes

In April, Minnesota State Senator Julianne Ortman (R-Chanhassen) introduced a bill to expand the state's Education Tax Credit/Deduction Program, known as "Take Credit for Learning." The existing program allows families with annual incomes of up to $37,500 to take a dollar-for-dollar tax credit on their state income taxes for a range of educational expenses—but not for tuition.

As well as allowing educational expenses to include tuition, Ortman's bill, Senate File 2702, would remove the current $2,000 cap on the credit and dispense with the requirement to itemize expenses by child. That would allow parents to claim $1,000 for each child in grades K-12, with no limit. A total of $480,000 was earmarked in the bill to cover the cost of expanding the program in 2005.

"Our tax code should reflect [a] family's choice and assist them if private schools or home schooling better meets their children's needs," argued Ortman, saying the credit assists families whose needs are not met by the public school system.

However, when the Ortman amendment was taken up for adoption on April 29, it failed by two votes, with senators voting along party lines.

Partnership for Choice in Education
Minnesota Senate Floor Coverage
April 29, 2004

Yecke Rejected as Minn. Education Commissioner

Despite pledges of support from several Democrat-Farmer-Labor (DFL) senators and a promise from Senate Majority Leader Dean Johnson (DFL-Willmar) not to bring her nomination up for a floor vote unless it would pass, Cheri Pierson Yecke found her nomination as Minnesota's Education Commissioner rejected in a 35-31 party-line vote of the DFL-controlled Senate in the early hours of May 16.

Yecke, Virginia's former education commissioner and the choice of Governor Tim Pawlenty (R) for the position in Minnesota, had helped rewrite the state's curriculum standards in language arts, math, science, and social studies. It was her stand on the social studies standards that generated controversy among educators.

"The majority of parents and the public want to see history standards that reflect the greatness of the country," Yecke had said, according to *The Washington Times*. "I don't believe in the hate-America agenda, and it would be inappropriate to have that agenda in our standards."

After the rejection vote, Yecke told the *Pioneer Press* she was "shocked" that "people who gave their word" had voted against her. Pawlenty condemned the DFL senators, saying they had done "a grave disservice to our state."

"By rejecting Commissioner Yecke on a party-line vote, they have rejected innovation and accountability for our state," he said in a statement.

Twin Cities Pioneer Press
May 17, 2004
Washington Times
May 20, 2004

NEW HAMPSHIRE

New Hampshire Won't Get Vouchers This Year

In May, after several failed attempts to pass a voucher bill this year, New Hampshire legislators were left with only House Bill 727, which proposed creating a committee to study school choice. Still hoping to pass a voucher bill this year, House negotiators came to a House-Senate conference committee meeting on May 17 with a proposal to add a voucher amendment to HB 727. Even those hopes were dashed when their Senate counterparts informed them a voucher amendment would be defeated in the Senate.

"As we sit here today I don't think we have the votes in the Senate to pass this," said Sen. Dick Green (R-Rochester), according to *Foster's Daily Democrat*. "I want to see this go forward, but the political reality is if we bring this to the Senate, we will not have the votes."

The original HB 727 had contained a voucher plan proposed by Green. It called for vouchers for low-income K-8 students to use at religious and secular private schools. The program would be phased in over seven years, with the number of participants increasing from 1,200 in the first year to 14,000 by the seventh year. The voucher would be worth up to $3,600.

Foster's Daily Democrat
May 20, 2004

CONTINUED ON NEXT PAGE

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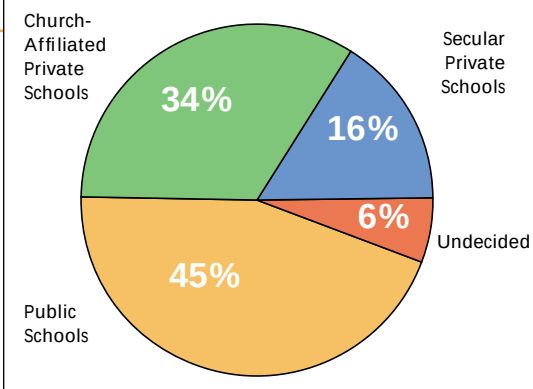
THE FRIEDMAN REPORT

CONTINUED FROM PAGE 11

SCHOOL CHOICE ROUNDUP

With Vouchers, More Oklahomans Would Choose Private Schools



Figures do not add up to 100% due to rounding.

NEW JERSEY

Black Clergy Group Endorses Vouchers for New Jersey

Polls show some 60 percent of African-Americans nationwide support school choice, and in New Jersey's poorest districts, 72 percent of parents support vouchers. Yet these impressive support levels have not led to the implementation of voucher programs. A coalition of black clergy leaders in New Jersey wants to change that and on May 24 in Trenton announced plans for organizing a grassroots movement to push for school choice.

The ministers, led by the Rev. Reginald T. Jackson, executive director of the Black Ministers Council, called on state lawmakers to approve a school voucher plan where funds follow the child to the school of his or her parents' choice. Jackson also called for reform of the teacher tenure system and decried the persistently poor performance of urban public schools.

"For the 26 years I have been in New Jersey, there have been a host of public school reform proposals, a multitude of major state supreme court rulings, and billions of dollars spent to achieve parity and improve test scores," said Jackson, according to a *Trenton Star-Ledger* report. "Yet, the fact remains, that with few exceptions, urban schools and most minority students still do not meet minimum state standards or receive a quality education."

Conditions are at a crisis level in urban public schools, said the Rev. Clenard Childress, senior pastor of New Calvary Church in Montclair. Childress is also chaplain at the Essex County Juvenile Detention Center.

"If something is not done in the next two years, we will lose a whole generation," said Childress, according to the *Star-Ledger*."It's time to admit the public schools are failing our children and to look for solutions."

Trenton Star-Ledger
May 25, 2004

NEW YORK

New York Tax Credits Would Generate $500 Million A Year

An Educational Tax Incentives bill under consideration by the New York Senate Finance Committee could generate $500 million a year in donations benefitting public and private schools, according to the New York State Department of Taxation. The lion's share, $400 million, would go to public schools, with the balance going to private schools.

The bill, S 1665, was introduced by Senator Serphin R. Maltese (R-Queens) last year and has 18 cosponsors. After being passed by the Investigations Committee on April 27, 2004, the bill was reported to the Finance Committee, which is headed by Senator Owen H. Johnson (R-Babylon). Passage by the Finance Committee would send the bill to a full vote of the Senate.

The bill provides a 50 percent tax credit for donations to any public school, public school education fund, or private school scholarship fund. It also covers homeschooling expenses. For individuals, eligible expenses and/or donations are capped at $500; for corporations, eligible donations are capped at $50,000.

"The legislation would ... help support an increased number of parents who would choose to educate their children either at home or in an independent or religious school," according to a statement from the New York State Catholic Conference. "Supporting these parents would help the already over-burdened public schools by lowering their class size and lessening the demand on limited public funding."

New York State Catholic Conference
April 26, 2004 Statement
Citizens for Educational Freedom

OKLAHOMA

Oklahoma Poll Shows Strong Support for Vouchers

Less than half (45 percent) of Oklahoma parents would choose to send their child to a public school if they were given a voucher or tax credit to cover the tuition at a private school, according to a new poll of 400 Oklahoma registered voters. Half (50 percent) would choose to send their child to a private school if offered a voucher or tax credit, with 34 percent choosing a church-affiliated private school and 16 percent choosing a secular private school. Six percent were undecided. (Figures do not add up to 100% due to rounding.)

When asked whether they favored or opposed providing tax credits to companies or individuals for donations to fund private school scholarships, more than half the respondents (52 percent) said they favored the idea, while 43 percent were opposed.

When asked which action they believed was more important to improve public education in Oklahoma, 58 percent of respondents said "Raising standards and accountability," while only 35 percent said "Increase funding."

The survey, which has a margin of error of +/-4.9 percent, was conducted on May 10-12, 2004 for the Oklahoma Council of Public Affairs by Cole, Hargrave, Snodgrass & Associates.

Oklahoma Council of Public Affairs
May 26, 2004
http://www.ocpathink.org/ViewEvent.asp?ID=62

SOUTH CAROLINA

South Carolina Gov. Will Fight for Education Tax Credits

On May 12, the South Carolina House Ways and Means Committee voted to adjourn debate on an education tax credit measure known as the Put Parents in Charge Act, effectively killing the bill. The act had been proposed earlier this year by Governor Mark Sanford (R) as a way to improve public schools, expand educational opportunities, and put parents back in control of their children's education. Sanford will continue to fight for the bill, according to spokesman Will Folks.

"You can either be loyal to the current education bureaucracy in place or loyal to the goal of better educating kids in South Carolina," Folks told the *Post and Courier*.

Sanford's proposal would allow families making less than $75,000 annually to receive a credit on property or income taxes for expenses incurred for private education, home schooling, or the cost of transferring a child to another school district. While some opponents said the bill was an attack on public schools, Rep. Lewis Vaughn (R-Greer) said the issue is about allowing parents to make the decisions when it comes to their child's education.

"All we are doing is letting people keep some of their tax dollars so they can send their child to the school of their choice," Vaughn told the *Post and Courier*.

Charleston Post and Courier
May 13, 2004

WISCONSIN

Wis. Activists Push to Lift Enrollment Cap on Vouchers

On April 29, the Alliance for Choices in Education (ACE) and School Choice Wisconsin kicked off a "Lift the Cap" campaign to persuade Governor Jim Doyle (D) to support eliminating or raising the statutory limit on enrollment in the Milwaukee Parental Choice Program (MPCP).

Last year, Doyle vetoed legislation to eliminate the cap, which limits enrollment in the voucher program to 15 percent of student enrollment in the Milwaukee Public Schools, or about 14,800 students. With the number of voucher students growing by more than 1,000 a year, the Department of Public Instruction estimates MPCP enrollment will reach the cap by the 2005-06 school year. At that point, seats in voucher schools would have to be rationed.

Rationing will hurt public schools and families as well as private schools, according to Howard Fuller, chairman of ACE.

"Rationing will deprive thousands of low-income families from choosing where their children attend school," he said. "Rationing will create uncertainty for more than 100 schools that need to know enrollment to plan, and rationing also will complicate budgeting and enrollment planning at the Milwaukee Public Schools."

The goal of the "Lift the Cap" campaign is to educate people in Milwaukee about the impact of the cap and to demonstrate that limiting parental choice hurts the city. Within 10 days of the campaign's kick-off, more than 3,000 yards signs, 3,600 window signs, and 45 large banners had been distributed in neighborhoods throughout Milwaukee.

Alliance for Choices in Education
May 11, 2004

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INNOVATION AND PROFIT: What Education Needs Most

When it takes an average of six years to build a new public school in California, what industrialist David L. Brennan did eight years ago in Cleveland borders on the miraculous in the slow-moving world of public education.

When Brennan discovered, two weeks before school started, that some 360 initial voucher applicants could not find places in the city's private schools, he created two new HOPE Academies in just 15 days. Despite being in startup schools, HOPE students showed test score gains in year-end math and reading tests.

Two years later, Brennan founded White Hat Management, saying he wanted to see "the great innovative American spirit" set loose on education. Today, the company is the largest charter school operator in Ohio and one of the nation's leading K-12 education service providers, operating 35 schools, serving nearly 15,000 students, and employing more than 1,300 teachers, staff, and administrators.

White Hat's tuition-free educational offerings include Life Skills Centers for at-risk and dropout youth, HOPE Academies for K-10 charter school students, and the DELA Academy for Ohio and Pennsylvania homeschool students.

Brennan chaired Ohio Governor George Voinovich's 1992 Commission on Educational Choice, which issued a report recommending a statewide voucher program. He was active in promoting the plan among legislators and a program for Cleveland—the Cleveland Scholarship and Tutoring Program—was approved in 1996. That voucher program, which permits parents to use publicly funded vouchers to pay for tuition at religious schools, was given a constitutional green light by the U.S. Supreme Court in the June 2002 decision, *Zelman v. Simmons-Harris*.

"I recognized that the problem we had in public education was a total inability to effect innovation. That only comes in a market economy, where there are choices."

The recipient of numerous awards for his contributions to education, Brennan has served as trustee at both his alma maters, The Ohio State University (1953) and Case Western Reserve School of Law (1957). He established law chairs at the University of Akron and at Case, which awarded him its highest honor, the Centennial Medal, in 1999. He received the (Ohio) Governor's Award in 1997 and the Peter Flanigan Children First Award in 1997. In 2002, he and his wife Ann received the Malden Mills Corporate Kindness Award from Project Love.

After writing about the 10-year fight for school vouchers in his recent book, *Victory for Kids*, Brennan is now developing a second book titled *Society's Second Chance*. It's about the national implications of programs like Life Skills, which give high school dropouts an opportunity to complete their high school education. Brennan recently spoke with *School Reform News* Managing Editor George Clowes.

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AN INTERVIEW WITH David L. Brennan

BY GEORGE A. CLOWES

Clowes: *How did you become involved in education reform?*

Brennan: When we began automating our manufacturing plants in the early 1980s, we discovered our employees were insufficiently educated to do the necessary transactions on the factory floor, so our company went into the education business. Every single employee, depending upon level of education and achievement, was in our classroom for one or two hours a week, using computer-aided instruction.

We had great success with that program—which still continues in our factories—and I recognized that technology has a major place in education reform. But when I tried to carry this message back to the public schools, they weren't interested. It didn't fit their pre-conception of how education should be carried out. Then I recognized that the problem we had in public education was a total inability to effect innovation. That only comes in a market economy, where there are choices.

Computer-aided instruction is the teaching of mathematics, reading skills, language arts, history, social sciences, and so on, by computer. All academic subjects are now deliverable by computer. It's a segment of our education world where a number of companies are aggressively pursuing the continued development of more sophisticated computer-delivered curriculum. Our education company now has a fully supported homeschooling network with high school curriculum delivered over the Internet. We have a very large center of master teachers serving a student population of about 2,500 here in Ohio and we're opening in Pennsylvania.

Whatever approach you take, Internet delivery or regular schooling, it's a unique challenge. What works for K-8 doesn't always work for 9-12, and what works for K-5 begins to not work in sixth grade.

Clowes: *Is that because children have acquired the fundamental learning skills by sixth grade and are then applying them to learn about new areas?*

Brennan: It's both sides—they either have the skills or they don't. If they don't have the skills, then the curricula for sixth grade and up don't work. In the traditional public schools, K-5 is where a lot of intensive remedial and catch-up work is done, but that begins to go away after fifth grade even though many students are still behind. What you get is a whole bunch of undereducated children floundering in sixth grade and up. That's where the dropouts come from.

For our K-5 instruction, we have a teacher who is the contact point for all subjects for a given child. Then, starting in

"[T]here are three basic elements that are key to success in education: Empowerment, getting attention when you need it, and individualized learning plans."

sixth grade, each student has a team of three to five teachers that do science, mathematics, and social studies. These specialty persuasions are dealt with quite intensively at the high school level.

Through our evolution as a company, we've discovered there are three basic elements that are key to success in education: Empowerment, getting attention when you need it, and individualized learning plans.

Our basic framework is an empowerment structure where it's made clear to students that decisions will not be forced on them but that the weight of decision-making is on their shoulders. They take responsibility for their actions. This radically alters their opportunity to learn and their attitude towards learning.

The second ingredient is this idea of getting attention when you need it. We learned this most pointedly at our Life Skills Centers. Every one of our graduates will tell you, "The difference between this school and the school I attended before is: I have no distractions. At the same time, I get all the attention I want."

In a typical traditional classroom, a student is given individual attention when the teacher is ready to give it. In everything we do with computer-aided instruction, the student receives individual attention when the student wants it.

When a student wants help, they want help *now*, not when the teacher is ready to talk. In a typical classroom with a large number of students, that's very difficult to do. That's why we have teams of teachers. In our biggest traditional-looking schools—our Life Skills Centers—a typical classroom has 35-50 students, with three teachers and two aides. No student goes unattended when they want attention.

The third element is that learning plans are individualized to suit the student. I go at my own pace. I may be a fast reader and a very slow math student, but I can take all the time I need with computer-aided instruction. Each student has his or her own computer. Students come in, choose the subject matter they're going to work on, and proceed at their own speed. It's 100 percent individualized learning plans. Suddenly, students who were totally disenchanted with traditional schools are in charge of their own education, and they have a different attitude towards learning.

We are developing education programs for a population that does not fit well into the traditional public education mold. About a third of our population appears to prosper under that traditional model, but two-thirds doesn't. The most obvious symptom that there is a problem is the dropout. The second-most obvious symptom is homeschooling, where you have a semi-dropout. They've dropped out, but they're still being educated.

Clowes: *Could you tell our readers about your Life Skills Centers?*

Brennan: As much as America prides itself on giving people a second chance, if you drop out of high school in our society, you have no second chance. Our Life Skills Centers provide that second chance. We get funding from the state that is about two-thirds of what the public schools get. We have waiting lists at all of our Centers. Some states—not Ohio—have limited the number of students we're allowed to take.

The students who come to the Life Skills Centers receive a regular diploma. They earn all the academic credits that a regular high school student has to earn before graduation. Since we're a vocational school, in Ohio a few of those credits are vocational credits. Eighty-five percent of our students are employed. Students are in school for four hours a day if they don't have a job, and for three hours a day if they do have a job.

Students earn their credit by testing out, not by seat time. In addition, the state of Ohio and most other states we're in now have some sort of achievement or proficiency test that students must pass before getting a high school diploma. Our students also have to pass that, so it's the same requirements as regular high schools.

Clowes: *One rallying cry against school choice is that it would involve private companies making a profit out of K-12 education. What's your response to those who say this would be "taking money away from the kids"?*

Brennan: Profit-making enterprises are recognized as the essence of our economy in every segment of our society. An education enterprise should be run like a business. The structure that supports the classroom—but not the classroom itself—should be run like a business. That means making sure expenses do not exceed revenues. The reality is that every not-for-profit activity *has* to be run like a business unless it has an unlimited source of contributions.

Businesses don't have that luxury. To sustain themselves, they have to operate with less expenses than revenues. If a particular enterprise can't do that, it has to shut down. No government agency has to meet, no regulation has to be approved, no law has to be passed, and no court has to rule for that to occur. It just shuts down. That efficiency is an incredibly inexpensive way to eliminate poor performers. But it's harsh. Market forces are terribly unforgiving.

Profits are misunderstood by those who object to them. Profits are nothing more than a return on investment capital. If you invest money, you should get a return on your investment. It's profit when you get interest on a savings account. A profit from a successful business is simply a reward for having put up money for it, and that would be the case with education businesses, too.

The thing that's wrong with education is that profit has *not* been a motivating factor. When profit is not a motivating factor, there's never enough money. As the public schools are currently operating, there will never be enough money. In Ohio, for example, education spending has gone up 8 percent a year for the past 10 years, and the schools still want more money.

Clowes: *If public schools are so desperately short of money, why would entrepreneurs want to get into the education business?*

Brennan: Because we know it can be run more efficiently, and by running it more efficiently, there will be a profit. For example, we're running for two-thirds the money spent by the public schools, and we still make a profit. That tells you something's wrong with what they're doing, but they won't acknowledge that. They say, "You're bad because you're making a profit." But if they're spending 50 percent more than we do and still want more money, they're the bad guys.

How can we do it for less? There are a lot of rules and regulations that apply to our schools but we don't have the micro-management regulations the public schools have to deal with, and that's one of the reasons we can operate for two-thirds of their costs. But instead of calling for less regulation for themselves, they want to impose the micro-management on us to raise our costs.

Here in Ohio, charter schools are restricted to the inner-city areas and so the students we get are the lowest performers, not the cream of the public schools. We have seventh graders who can't read. Also, the average mobility in our cities is 20-30 percent, and so we have a constant turning over of our student body, with new students coming in all the time from the public schools. We're slowly improving, making advances each year, but we haven't caught up to grade level on average in any of our schools.

Clowes: *Although there were expectations that several states would enact new voucher programs after the U.S. Supreme Court's 2002* Zelman *decision, only one—Colorado—actually did. How do you assess current prospects for enacting new programs?*

Brennan: To do any school voucher program takes money and, from a state budget perspective, we've had three very tough years when very little money was available. No matter how you slice it, the early cash flow in a voucher program will be negative because the public schools never cut back as fast as they should when they lose students to voucher schools. The Cleveland Public Schools are now finally laying off 10 percent of their employees because they have 15 percent fewer students than they had a few years back. They should have done it sooner, but they didn't.

You're only going to have an expansion of school choice on rising revenues. But I think the ground has been well-set for that in quite a few states, including Ohio. As our budget fortunes improve, there are three or four measures that I think will come to pass in Ohio. I predict the next wave of vouchers will be what they call McKay Scholarships in Florida, vouchers for special education students. Of all the school choice programs, that one has been the most successful.

The McKay Scholarships are worth about $15,000 per student in Florida. Parents are ecstatic about them because they see their children getting help and they see results, even though some parents have to come up with additional funds themselves. Word about the program is slowly getting out, and I predict that will be where the next big movement comes.

Here in Ohio, we're planning legislation in the next year or two that would extend vouchers on the same economic basis as charter schools. If you live in a city now, you have the choice of charter schools; we would add vouchers to that, provided the student was in a public school during the previous year. It's not a program to fund students who currently attend private schools, it's a program to attract families back into the cities, which are dying solely because of inadequate public education. The solution is obvious: Extend school choice to parents. I believe that's going to happen here in Ohio in the next year or two.

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Misbehavior

Continued from page 1

725 middle and high school teachers and 600 parents of teens.

The survey's findings point to a rising problem of distracting and disrespectful student behavior that interferes with the classroom environment and compels many teachers to leave the profession.

"Rowdiness, disrespect, bullying, talking out, lateness, and loutishness—these misbehaviors are poisoning the learning atmosphere of our public schools," said Public Agenda President Ruth A. Wooden. "At a time when the achievement stakes for students have never been higher, the fact is that in school after school, a minority of students who routinely challenge legitimate school rules and authority are preventing the majority of students from learning and teachers from teaching."

Threats of legal action by students and parents compound the problem by making it difficult for teachers and administrators to crack down on misbehavior. To restore order in the classroom, respondents to the Public Agenda survey support stricter enforcement of rules of conduct, transferring problem students to alternative schools, reforming special education, and placing limits on lawsuits over disciplinary actions.

The survey findings are detailed in the May 2004 report, "Teaching Interrupted: Do Discipline Policies in Today's Public Schools Foster the Common Good?" Key findings include:

Good Behavior Is Essential

A large majority of teachers (97 percent) and parents (78 percent) believe effective discipline and good student behavior are essential to a successful school. A similar large majority (93 percent of teachers and 88 percent of parents) believe the mission of schools extends beyond academics to teaching students to follow rules so they can become productive citizens.

Just a Few Cause Most Problems

A large majority (85 percent of teachers and 73 percent of parents) believe just a few perpetual offenders are harming the experience of the whole student body. Seventy-seven percent of teachers say dealing with disruptive students detracts from effective teaching. Roughly half of respondents (52 percent of teachers and 43 percent of parents) report there is an armed police officer on their campuses.

Parents Are Part of the Problem

Most respondents (82 percent of teachers and 74 percent of parents) believe the failure of parents to discipline their children is a prime cause of the problem. Half of the teachers surveyed (52 percent) say today's teachers are softer on discipline because they can't rely on parents or the school administration to back them up.

Teachers Leave When Offenders Stay

A third of teachers (34 percent) say they know colleagues who have left because of student misbehavior and difficulties in maintaining discipline. A third (34 percent) also had considered leaving themselves. Three-quarters of teachers (78 percent) say persistent student offenders who should be removed from school are allowed to stay.

A Litigious Culture

Teachers are further frustrated by today's litigious culture. A majority of teachers (78 percent) say students remind them the students have rights and their parents can lodge a lawsuit. Half of the teachers (49 percent) say they have been accused by parents of unfairly disciplining their child. Just over half (55 percent) say discipline is undermined when school districts back down from aggressive parents.

Proposed Reforms

Respondents supported several reforms, including alternative placements, stricter enforcement of rules, special education reform, and limits on lawsuits. A large majority of respondents (91 percent of teachers and 88 percent of parents) think by strictly enforcing small rules, schools set a tone of civility that averts larger problems. A similar large percentage (93 percent of teachers and 89 percent of parents) support "zero tolerance" policies so students know they face expulsion for serious offenses. Eighty-seven percent of teachers and 75 percent of parents think alternative schools for persistent offenders would help.

"A large majority of teachers (97 percent) and parents (78 percent) believe effective discipline and good student behavior are essential to a successful school."

More teachers than parents see litigiousness as a problem. Eighty-two percent of teachers and 78 percent of parents would limit lawsuits to major disciplinary actions such as expulsion. A similar gap in support exists over eliminating monetary rewards for parents who sue regarding disciplinary actions, a proposal supported by 82 percent of teachers but only 69 percent of parents.

"The present legal environment undermines order in schools by enabling students and parents to threaten a lawsuit over virtually anything," commented Philip K. Howard, chairman of Common Good. "The legal system must strike a better balance between the claimed rights of individuals and the legitimate interests of society as a whole."

Three-quarters of teachers (76 percent) think special education students are disciplined too lightly and the majority (94 percent) would like schools to discipline such students the same as their nondisabled peers unless the disability caused the misbehavior.

The Public Agenda report was based on a mail-in survey of teachers, a telephone survey of parents, and focus groups. It has a margin of error of plus or minus 4 percentage points. It was underwritten by Common Good, a bipartisan coalition committed to legal reform.

Krista Kafer is senior policy analyst for education at The Heritage Foundation. Her email address is **krista.kafer@heritage.org**.

INTERNET INFO

The May 2004 Public Agenda report, "Teaching Interrupted: Do Discipline Policies in Today's Public Schools Foster the Common Good?" is available online at **http://www.publicagenda.org/research/research_reports_details.cfm?list=3**.

Kerry Retreats on "Pay for Performance"

by Mike Antonucci

A confidential memo from National Education Association President Reg Weaver to union officials detailed a meeting he had in mid-May with U.S. Senator John Kerry (D-Massachusetts) in which Kerry backed away from the "pay for performance" language in his proposed education plan.

On May 6 at a California high school, Kerry gave an education policy speech that expressed support for higher pay for math and science teachers and for those who work in difficult-to-staff schools. He also stated the need "to find ways to reward teachers for excellence, and to reward the students' teachers who obviously show tremendous success." Kerry said that greater achievement "ought to be able to command greater pay just the way it does in every other sector of professional employment in the United States of America."

After the speech, Kerry's campaign released a press statement declaring the candidate "will establish new systems that reward teachers for excellence in the classroom, including pay based on improvement in student achievement."

Many elements of Kerry's plan caused consternation at NEA headquarters, but none more so than the reference to performance pay, which NEA strictly opposes. NEA released a press statement in response to Kerry's speech, saying, "We look forward to discussing ways to help strengthen Senator Kerry's proposals in ways that will meet the needs of America's public school students."

That opportunity evidently occurred two weeks later in Washington, DC, when NEA President Weaver, Executive Director John Wilson, and Director of Government Relations Diane Shust met with Kerry. In a memo dated May 21 and disseminated widely to high-ranking NEA officials nationwide, Weaver described what he called "a very positive meeting in which the Senator expressed strong interest in working closely with NEA and outlined his support for a number of NEA priorities."

On the issue of performance pay, Weaver reported, "We raised our concerns that the Kerry campaign used the language 'pay-for-performance' in his press release, although the Senator himself did not use those words in his remarks and the formal policy document did not use it. The Senator clarified that the campaign did not intend to use that language and would not do so in the future. He asked that I convey this point to NEA leaders."

Democratic Presidential candidate John Kerry (left) has backed down on his "pay for performance" stance under pressure from NEA President Reg Weaver (right).

Weaver went on to note Kerry's commitment to fully fund the No Child Left Behind Act, to advance early childhood education programs, and to "roll back the Bush tax cuts" to pay for education and health care. Weaver's memo did not mention Kerry's proposals for differential pay, teacher testing, or expedited teacher dismissal procedures.

In a May 7 speech to the Democratic Leadership Council, Kerry said, "Yesterday, I proposed the most far-reaching reforms in teacher pay in our nation's history." Whether or not Kerry uses the words "pay for performance" in the future is irrelevant to the central question: Will those reforms survive the resistance of education's most powerful special-interest group?

Mike Antonucci is director of the Education Intelligence Agency, which conducts public education research, analysis, and investigations. He also publishes a weekly Communiqué *on teacher union activities, in which this article first appeared. His email address is* **EducationIntel@aol.com**.

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Exit Exams Don't Increase Dropouts, Study Finds

by Robert Holland

Critics of high-stakes testing have argued that public high school exit exams cause many students, particularly minority-group members, to drop out in frustration without gaining a diploma that would be valuable to them in the job market.

However, a new study by Manhattan Institute scholars finds the exit exams administered by 24 states have had no net effect on graduation rates.

"Our findings should provide optimism to those who wish to use exit exams to provide quality control for high school diplomas," concluded scholars Jay P. Greene and Marcus A. Winters. "The results of our analysis show that exit exams may allow states to distribute more meaningful diplomas to the same percentage of students as before."

Greene and Winters used two respected methods of calculating graduation rates for each state from 1991 to 2001. In addition to finding required graduation testing had no impact, their analysis indicated neither class-size reduction in secondary schools nor increased per-pupil spending result in higher graduation rates.

The scholars acknowledged many news media stories about individual students who completed their class work but were denied a diploma because they couldn't pass a state test. However, they noted many factors contribute to the tests having essentially zero effect on graduation rates.

"Our findings should provide optimism to those who wish to use exit exams to provide quality control for high school diplomas. The results of our analysis show that exit exams may allow states to distribute more meaningful diplomas to the same percentage of students as before."

JAY P. GREENE AND MARCUS A. WINTERS MANHATTAN INSTITUTE

One factor is that such tests typically require very low levels of proficiency. A 2004 Fordham Foundation study of 30 states' accountability systems rated as "poor" the rigor of state-required standardized tests. In addition, states give students extra instruction and multiple chances to clear this low hurdle before actually denying them diplomas.

"Most students who are serious about graduating high school should be able to pass such an exam if given enough tries, even if only by chance," the researchers concluded.

The relatively few students who do give up may well be cancelled out statistically by a like number of students who did graduate because the tests gave their schools an incentive to improve and to address the needs of at-risk students, they added.

As for critics' counter-argument that recently adopted exit exams are more difficult than those of 1990s vintage and therefore may cause more dropouts, Greene and Winters analyzed the data and found current tests are having the same lack of impact on graduation rates as the old tests.

If exit exams convince employers of the worth of the high school diploma as an indicator of basic proficiency, that could boost the prospects of job-seeking students. The Manhattan study indicates Hispanic youth might benefit in particular.

U.S. Department of Labor data have shown recent Hispanic high school graduates are just as likely as recent Hispanic dropouts to be unemployed. Passing an exit exam might give the Hispanic graduate an edge.

The states with high school exit exams are Alabama, Florida, Georgia, Indiana, Louisiana, Maryland, Minnesota, Mississippi, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, South Carolina, Tennessee, Texas, and Virginia.

Robert Holland is a senior fellow at the Lexington Institute, a public policy think tank in Arlington, Virginia. His email address is **holland@lexingtoninstitute.org**.

INTERNET INFO

The May 2004 Manhattan Institute study by Jay P. Greene and Marcus A. Winters, "Pushed Out or Pulled Up? Exit Exams and Dropout Rates in Public High Schools," is available online at **http://www.manhattan-institute.org/html/ewp_05.htm**.

Colorado Now Sends Aid to Colleges Via Vouchers

by George A. Clowes

Starting in the fall of 2005, state subsidies for Colorado's public colleges and universities—totaling almost $600 million a year—will be distributed directly to students in the form of vouchers worth up to $2,400 a year.

Previously, the funds were distributed as block grants to the state's higher education institutions, which then used the money to subsidize tuition. Colorado is the first state in the nation to allocate its college funding via the decisions of individual students.

Rep. Keith King (R-Colorado Springs), who sponsored the final bill, hopes changing the fund distribution to vouchers will encourage more low-income students to go to college. The $2,400 voucher would cover the full tuition cost at most community colleges, but students would need to come up with additional funds to pay the full tuition at four-year colleges.

Colorado lawmakers approved the higher education voucher plan at the end of April, after two years of discussions on the issue, and Governor Bill Owens (R) signed the bill into law on May 10.

"Under the old system, many Coloradans—particularly our minority and low-income residents—were unaware that the state stood ready and willing to help with their tuition," explained Owens. "The new system enables parents, teachers, and others to show students the money: to tell them that there are funds earmarked just for them, waiting to be put toward a college education."

Under a voucher system, the colleges must recruit students to get the state funds, which makes them more attuned to their customers. At the same time, students become more discriminating consumers of higher education when they have to decide where to spend their voucher, added the governor.

Colorado Governor Bill Owens signed a college voucher bill on May 10 to encourage low-income students to advance their education.

"If the state is going to invest in human capital, a sound investment by any measure, it should do so directly, by placing money straight into the hands of the beneficiaries," said Owens.

The vouchers are available to all Colorado college students who are eligible for in-state tuition. A $2,400 voucher would go to eligible students attending a state institution and a $1,200 voucher would go to eligible low-income students enrolled at three private institutions: the University of Denver, Colorado College, and Regis University, which is a Catholic school. Vouchers may be applied to a maximum of 140 academic credits.

Other states are discussing higher education vouchers, too. In January, Utah State Rep. Ron Bigelow (R-Salt Lake City) began to investigate how college-level vouchers might be used in the Beehive State. In Washington state, Governor Gary Locke (D) and Sen. Don Carlson (R-Vancouver) were receptive to a recommendation from the Washington Competitiveness Council in January for the state to provide vouchers for students to make better use of private college capacity.

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

Who Should Get College Aid?

Although the original focus of the federal Higher Education Act (HEA) of 1965 was on meeting the needs of low-income students, that focus has shifted over the years to subsidizing students of all income levels, according to a new study by Krista Kafer, senior education policy analyst at The Heritage Foundation. For example, one-quarter of undergraduates from families with incomes of more than $100,000 received financial aid in 2003.

"The increasing use of federal higher education programs by middle-class and wealthy students is costly to taxpayers, contributes to student indebtedness, fosters greater individual and institutional dependency, increases entitlement spending, and contributes to the rising cost of higher education," Kafer writes.

With HEA up for reauthorization, and with federal financial aid to higher education now totaling more than $100 billion a year in loans, grants, aid, and support services, Kafer suggests Congress should re-focus higher education aid on those who really need it and eliminate subsidies to middle-income and wealthy families.

— G.C.

INTERNET INFO

The Heritage Foundation's *Backgrounder* #1753 by Krista Kafer, "Refocusing Higher Education Aid on Those Who Need It," issued on April 26, 2004, is available online at **http://www.heritage.org/Research/Education/bg1753.cfm**.

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Just the Facts: Sources and Uses of Public Education Dollars

by George A. Clowes

Total expenditures on U.S. K-12 public education and other related programs in the 2000-2001 school year were $411.5 billion, up $29.6 billion, or 7.8 percent, from 1999-2000. Total revenues for the same period were 97.4 percent of total expenditures, or $10.6 billion lower at $400.9 billion.

Current expenditures, the most common way of reporting public school expenditures, were 84.6 percent of total expenditures, or $63.3 billion lower at $348.2 billion. Total expenditures per student in 2000-2001 were up $567 from 1999-2000 to $8,718, or 7.0 percent higher.

If per-pupil expenditures continue to increase at 6 percent a year, average U.S. spending for K-12 education for the school year starting this fall would be about $11,000 per student, with total expenditures exceeding a half a trillion dollars.

Where the Money Comes From

Almost half (49.7 percent) of the $400.9 billion in revenues came from state sources. Another 43.1 percent came from local and intermediate sources, with the federal government providing just 7.3 percent, or $29.1 billion.

Among states with more than one school district, the state share of revenues varied from just 28.6 percent in Nevada to 71.1 percent in New Mexico and 70.7 percent in Vermont. Federal revenues ranged from 3.9 percent in New Jersey to 15.8 percent in Alaska.

Where the Money Goes

Of the $411.5 billion in total expenditures, the vast majority (84.6 percent) went to current expenditures for school operations, with the current expenditure dollar going roughly two-thirds to instruction and one-third to support services. Just 2.5 percent of total expenditures went to debt service, with another 9.5 percent going for facility construction/renovation and another 1.9 percent for replacement equipment.

As a share of total expenditures, the following variations are seen at the state level: current expenditures, from 67.8 percent in Arizona to 95.3 percent in Rhode Island; facility construction/renovation, from 0.5 percent in Massachusetts to 22.4 percent in Arizona; debt service, from 0.8 percent in California to 6.9 percent in Indiana.

George A. Clowes is managing editor of School Reform News. *His email address is* **clowes@heartland.org**.

INTERNET INFO

The raw data used in the accompanying table are taken from the publication "Statistics in Brief May 2003, Revenues and Expenditures for Public Elementary and Secondary Education: School Year 2000-2001," from the Web site of the National Center for Education Statistics at **http://nces.ed.gov/pubs2003/2003362.pdf**.

Source and Use of Funds for U.S. Public Schools: School Year 2000-01

Top 3 States in Blue — Bottom 3 States in Red

WHERE THE MONEY COMES FROM								WHERE THE MONEY GOES				
	Share of Total Revenues							Share of Total Expenditures				
Total Revenues ($000)	Local + Intermediate	State	Federal	State/Federal City	Student Membership (Fall 2000)	Total Expenditures ($000)	Per-Pupil Expenditure	Current Expenditures	Facility Construction/ Renovation	Replacement Equipment	Other Programs	Interest on Debt
$400,919,024	43.1%	49.7%	7.3%	United States	47,203,539	$411,518,072	$8,718	84.6%	9.5%	1.9%	1.5%	2.5%
4,812,302	30.7%	59.9%	9.4%	Alabama	739,992	5,075,425	$6,859	85.8%	9.1%	1.4%	2.1%	1.7%
1,370,271	27.1%	57.1%	**15.8%**	Alaska	133,356	1,405,783	$10,542	87.4%	9.4%	1.3%	0.5%	1.4%
5,797,151	45.8%	43.6%	10.6%	Arizona	877,696	6,837,290	$7,790	**67.8%**	**22.4%**	**4.1%**	0.5%	**5.3%**
2,812,169	31.1%	59.6%	9.3%	Arkansas	449,959	2,809,612	**$6,244**	89.2%	5.9%	2.6%	0.3%	2.0%
51,007,510	30.3%	61.5%	8.2%	California	6,140,814	50,549,119	$8,232	84.9%	10.6%	2.0%	1.8%	**0.8%**
5,349,899	52.9%	41.5%	5.6%	Colorado	724,508	5,721,045	$7,896	83.2%	9.7%	2.1%	0.8%	4.2%
6,460,491	56.2%	39.5%	**4.3%**	Connecticut	562,179	6,633,858	$11,800	85.8%	9.1%	1.5%	1.6%	2.0%
1,112,519	26.2%	65.9%	7.9%	Delaware	114,676	1,191,951	$10,394	86.2%	9.5%	1.9%	1.3%	1.2%
17,866,868	42.4%	48.7%	9.0%	Florida	2,434,821	18,752,867	$7,702	80.1%	14.0%	1.3%	2.5%	2.1%
12,191,113	44.7%	48.9%	6.4%	Georgia	1,444,937	11,865,052	$8,211	84.4%	11.7%	1.9%	0.4%	1.5%
1,682,330	**1.8%**	**89.8%**	8.4%	Hawaii	184,360	1,410,119	$7,649	86.2%	5.4%	3.0%	2.4%	2.9%
1,593,966	30.6%	61.3%	8.1%	Idaho	245,117	1,564,207	$6,381	89.7%	5.8%	2.3%	0.3%	1.9%
18,217,079	**58.6%**	**33.6%**	7.8%	Illinois	2,048,792	18,932,238	$9,241	82.7%	11.0%	3.0%	0.8%	2.6%
9,033,180	41.3%	53.5%	5.1%	Indiana	989,267	9,084,055	$9,183	83.1%	7.6%	1.7%	0.6%	**6.9%**
3,954,178	44.6%	49.2%	6.3%	Iowa	495,080	3,918,833	$7,916	87.5%	7.4%	2.9%	0.6%	1.5%
3,597,726	32.5%	61.1%	6.4%	Kansas	470,610	3,591,632	$7,632	90.7%	2.4%	**3.7%**	**0.1%**	3.1%
4,509,893	30.1%	59.9%	9.9%	Kentucky	665,850	4,339,910	$6,518	**93.3%**	**0.9%**	2.9%	1.1%	1.8%
5,060,133	39.2%	49.4%	11.5%	Louisiana	743,089	5,017,490	$6,752	89.4%	6.2%	1.9%	0.4%	2.0%
1,934,178	47.5%	44.6%	7.9%	Maine	207,037	1,902,758	$9,190	89.6%	5.8%	1.6%	1.0%	2.0%
7,846,891	56.6%	37.3%	6.1%	Maryland	852,920	7,966,173	$9,340	88.4%	9.2%	1.2%	0.2%	1.0%
10,148,498	51.4%	43.6%	5.0%	Massachusetts	975,150	9,833,455	$10,084	**94.3%**	**0.5%**	1.3%	1.3%	2.6%
16,358,532	28.4%	64.8%	6.8%	Michigan	1,720,626	17,266,301	$10,035	82.5%	10.1%	2.1%	2.0%	3.3%
7,873,549	34.8%	60.5%	4.7%	Minnesota	854,340	8,104,831	$9,487	80.6%	9.7%	2.4%	**3.7%**	3.7%
2,903,534	30.8%	55.4%	**13.8%**	Mississippi	497,871	2,885,800	**$5,796**	89.3%	4.8%	3.0%	0.7%	2.2%
7,102,501	55.6%	37.5%	6.9%	Missouri	912,744	7,148,100	$7,831	85.0%	6.8%	3.2%	2.0%	2.9%
1,140,168	40.9%	47.6%	11.5%	Montana	154,875	1,123,812	$7,256	92.7%	3.9%	1.7%	0.7%	1.0%
2,307,804	57.8%	34.9%	7.3%	Nebraska	286,199	2,378,237	$8,310	86.9%	7.6%	3.5%	**0.1%**	1.8%
2,393,494	**66.3%**	**28.6%**	5.1%	Nevada	340,706	2,702,909	$7,933	**73.2%**	**18.6%**	2.7%	0.5%	**5.0%**
1,714,147	43.9%	51.6%	**4.5%**	New Hampshire	208,461	1,723,025	$8,265	88.1%	8.3%	1.4%	0.2%	1.9%
15,967,075	54.3%	41.8%	**3.9%**	New Jersey	1,313,405	16,571,448	**$12,617**	89.2%	7.4%	**0.9%**	1.1%	1.5%
2,426,705	**15.0%**	**71.1%**	**13.9%**	New Mexico	320,306	2,375,194	$7,415	85.1%	11.8%	**1.0%**	0.6%	1.4%
34,266,171	48.1%	46.2%	5.7%	New York	2,882,188	35,703,439	**$12,388**	86.5%	6.4%	**1.0%**	**3.6%**	2.4%
9,262,181	26.4%	66.3%	7.2%	North Carolina	1,293,638	9,920,176	$7,668	82.8%	12.8%	1.6%	0.5%	2.4%
767,798	47.7%	39.0%	13.4%	North Dakota	109,201	739,258	$6,770	90.5%	4.4%	3.3%	0.8%	1.0%
16,649,361	50.8%	43.2%	6.1%	Ohio	1,835,049	16,327,367	$8,898	85.1%	7.6%	2.9%	**2.6%**	1.9%
4,034,825	30.7%	59.1%	10.2%	Oklahoma	623,110	4,082,423	$6,552	91.9%	5.2%	1.5%	0.5%	**0.9%**
4,564,408	36.4%	56.2%	7.4%	Oregon	546,231	4,677,930	$8,564	87.9%	7.5%	1.5%	0.4%	2.7%
17,053,891	55.7%	37.8%	6.5%	Pennsylvania	1,814,311	17,835,344	$9,830	83.5%	9.2%	1.5%	1.9%	3.9%
1,545,675	51.9%	42.2%	5.9%	Rhode Island	157,347	1,538,412	$9,777	**95.3%**	**0.6%**	1.2%	1.2%	1.8%
5,459,399	37.9%	53.9%	8.2%	South Carolina	677,411	5,539,077	$8,177	81.1%	13.6%	1.9%	1.1%	2.3%
885,229	52.5%	35.3%	12.1%	South Dakota	128,603	961,630	$7,478	82.8%	10.5%	**4.4%**	0.3%	1.9%
5,711,950	46.5%	44.3%	9.2%	Tennessee	909,161	6,280,529	$6,908	82.3%	12.3%	2.1%	0.5%	2.8%
30,469,570	49.1%	42.2%	8.7%	Texas	4,059,619	32,885,506	$8,101	80.7%	13.1%	1.8%	0.7%	3.7%
2,745,656	34.0%	58.6%	7.5%	Utah	481,485	2,750,282	**$5,712**	81.8%	11.6%	1.8%	2.3%	2.5%
1,035,679	**23.4%**	**70.7%**	5.8%	Vermont	102,049	1,014,673	$9,943	92.1%	4.2%	1.9%	0.3%	1.5%
9,313,330	52.1%	42.3%	5.6%	Virginia	1,144,915	9,690,316	$8,464	86.0%	9.1%	2.4%	0.5%	2.0%
8,058,875	29.3%	62.9%	7.8%	Washington	1,004,770	8,152,660	$8,114	83.2%	11.1%	1.7%	0.5%	3.6%
2,375,788	28.7%	61.1%	10.2%	West Virginia	286,367	2,348,364	$8,201	91.9%	3.3%	2.9%	1.4%	**0.5%**
8,327,255	41.8%	53.1%	5.0%	Wisconsin	879,476	8,553,822	$9,726	84.7%	8.5%	2.1%	1.4%	3.2%
803,414	41.2%	50.2%	8.6%	Wyoming	89,940	783,319	$8,709	90.0%	5.1%	3.6%	**0.2%**	1.2%
1,042,711	**88.9%**	**0.0%**	11.1%	District of Columbia	68,925	1,051,014	**$15,249**	**79.0%**	**15.5%**	2.0%	1.1%	2.4%

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